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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/903,315	07/10/2001	Han-Sen Lee	LEE-8	7401

7590 06/27/2003  
Curtis L. Harrington  
Suite 250  
6300 State University Drive  
Long Beach, CA 90815

EXAMINER

LEV, BRUCE ALLEN

ART UNIT	PAPER NUMBER
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3634

DATE MAILED: 06/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
09/903,315

Applicant(s)

Lee

Examiner

Bruce A. Lev

Art Unit

3634



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1) ☒ Responsive to communication(s) filed on May 30, 2003

2a) ☐ This action is **FINAL**.

2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

4) ☒ Claim(s) 1-8 is/are pending in the application.

4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.

6) ☒ Claim(s) 1-8 is/are rejected.

7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.

8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☒ The proposed drawing correction filed on Oct 8, 2002 is: a) ☒ approved b) ☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some\* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

5) ☐ Notice of Informal Patent Application (PTO-152)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_

6) ☐ Other:

BRUCE A. LEV  
PRIMARY EXAMINER

Art Unit: 3634

## **DETAILED ACTION**

### ***Claims within an Appeal Brief***

1. Claims within the Appeal Brief filed May 30, 2003 need to be “double-spaced”.

### ***Re-opening Prosecution***

2. The *finality* of the previous office action (of November 18, 2002) is hereby *withdrawn* in order to re-open prosecution and apply a new rejection to claims 5-8.

### ***Claim Rejections - 35 USC § 112***

3. Claims 1-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As concerns claims 1 and 5, the phrase “an aperture for fitting within said bore” is vague and indefinite since it is not understood how an “aperture”, which is a hole, can conceivably be able to fit within a “bore”...a hole within a hole?

### ***Claim Rejections - 35 USC § 102***

4. Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by *Judkins et al* 6,119,757.

Art Unit: 3634

As concerns claims 1-4, Judkins et al set forth a cord and louver assembly (best illustrated in Figures 1, 3, 12, and 15) comprising a pair of ladder cords having vertical cord portions, and a plurality of horizontal cord portions forming ladder openings; a plurality of louvers each having cord openings; a base louver having bores; end plugs fitting within the bores of the base louver; vertical elevation cords extending through the cord openings, the apertures of the plugs and affixed thereto, wherein the vertical elevation cords have lengths greater than that necessary for connection to a channel component and secured by a base louver and end plugs; and a channel assembly.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over ***Judkins in view of Debs 4,487,243***.

Judkins et al set forth the apparatus, as advanced above, and thereby the method of forming, except for attaching the second ends of the cords to respective rotation members of the channel and component assembly. However, ***Debs discloses*** a blind set that incorporates

Art Unit: 3634

attaching second ends of its cords 20 to respective rotation members 16 of its channel and component assembly. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of forming the blind set of Judkins by incorporating attaching the second ends of the cords to respective rotation members of the channel and component assembly, as taught by Debs, in order to provide more precise motion control of slats.

#### ***Response to Amendment***

4. Applicant's remarks filed May 30, 2003, 2002 have been fully considered but they are not deemed to be persuasive.

As concerns remarks pertaining to the functionality of Judkins, the examiner takes the position that the argument of "functionality" as pertaining to apparatus claims does not hold weight since the structural limitations appear to be met (as advanced above).

#### ***Conclusion***

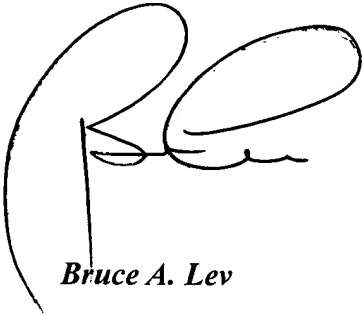
The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office Action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bruce A. Lev whose telephone number is (703) 308-7470.

Art Unit: 3634

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-2168.

June 23, 2003

A handwritten signature in black ink, appearing to read 'Bruce A. Lev'. The signature is stylized with large, sweeping loops for the first and last names, and a more compact, cursive script for the middle initial 'A'.

*Bruce A. Lev*

*Primary Examiner*

*Group 3600*